

REMARKS

This Amendment is submitted in response to the Final Office Action dated May 5, 2004. Claims 1 and 33 have been amended. Claims 17 through 24 and 26 through 29 were previously cancelled. The application now includes claims 1 through 16, 25, and 30 through 35, with claims 1, 2, 16, 25 and 33 being independent claims. Favorable reconsideration of the application, as amended, is respectfully requested.

The specification has been amended to provide the current status of the applications listed in the "CROSS REFERENCE TO RELATED APPLICATIONS" paragraph.

In the Final Office Action, the Examiner rejected claims 1 and 30 through 32 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,723,945 to Schermerhorn in view of U.S. Patent No. 6,288,629 to Kanazawa et al. The Examiner stated that the Kanazawa et al. reference teaches three sets of electrodes formed on the first substrate of a flat plasma display with Y electrodes parallel to and corresponding to each of the pairs of sustainer electrodes Xe and Xo. The Examiner further stated that at least one Y electrode is adjacent to the first sustainer electrode Xe and can be interpreted as an auxiliary electrode.

It is noted that, in her detailed explanation of the rejection on pages 3 and 4 of the Final Office Action, the Examiner referenced claims 8 through 10. Applicants' attorney believes that this a typographical error and that the Examiner intended to reference claims 30 through 32. Accordingly, applicants' response is directed toward claims 30 through 32.

In the previous Amendment on December 16, 2003, applicants amended independent claim 1 to recite a pair of auxiliary electrodes deposited upon a first substrate parallel to and corresponding to each of the pairs of sustainer electrodes. As explained in the previous Amendment, the Kanazawa et al. reference states in column 8, lines 64 through 65, and shows in Fig. 13, that the term Xe refers to even numbered X sustaining electrodes while the term Xo refers to odd numbered X sustaining electrodes. Additionally, the Kanazawa et al. reference states, in column 10, lines 27 through 37 that:

The Y electrodes are connected to a scan driver 62 serving as a

selecting circuit, and connected as a whole to a *Y sustaining* circuit 63 for applying a signal used to sustain discharge. The scan driver 62 produces a scanning pulse. The *Y sustaining* circuit 63 produces a sustaining discharge and applies it to the *Y* electrodes 51. On the other hand, the *Xo* electrodes 52o and *Xe* electrodes 52e are connected as a whole to an odd *X sustaining* circuit 61o and an even *X sustaining* circuit 61e, respectively, which apply signals to sustain discharge. (Emphasis added.)

Based upon the above description, applicants previously concluded that the Kanazawa et al. reference discloses groups of three sustaining electrodes and that combining the structure of the Kanazawa et al. reference with the plasma display panel disclosed in the Schermerhorn reference would produce a display panel structure entirely different from the structure recited in amended independent claim 1.

In the Final Office Action, the Examiner replied to applicants' previously presented argument by stating that Fig. 14 of the Kanazawa et al. reference illustrates a pair of auxiliary electrodes (51a and 51b) formed between the first and second sustain electrodes (52o and 52e). The Examiner then concluded that the combination of the Schermerhorn and the Kanazawa et al. references does teach and suggest each and every limitation of claim 1 and maintained the rejection of the claim.

However, Kanazawa et al. reference states in column 9, lines 59 through 61, that:

The *Y* electrodes 51 are composed of transparent electrodes 51a and metallic bus electrodes 51b.

Additionally, the numbering of the electrodes 51a and 51b would indicate that they are subparts of a single *Y* electrode 51. Furthermore, the Examiner stated, on page 3 of the Final Office Action, that:

The *Y* electrodes, which consist of a pair of electrodes (51a and 51b) are deposited on the first substrate ...

Furthermore, applicants' attorney notes what appears to be the Examiner's annotation of Fig. 14 where the numerical identifiers 51a and 51b are enclosed by a bracket and assigned a common label of "Y".

Based upon the above, applicants believe that the Y electrode taught by the Kanazawa et al. reference is actually a single electrode formed from two adjacent conductive strips, or electrodes. Therefore, applicants have further amended claim 1 to recite a pair of discrete auxiliary electrodes. Nothing in the Kanazawa et al. reference shows or suggests pairs of discrete auxiliary electrodes. Indeed, as explained above the teaching of a single Y electrode composed of two adjacent conductive strips actually teaches away from the structure recited in currently amended independent claim 1. Accordingly, applicants believe that amended independent claim 1 is patentable over the art of record and respectfully request that the Examiner withdraw her rejection of the claim.

Additionally, the Examiner rejected claim 1 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 2 of U.S. Patent No. 6,459,201 to Schermerhorn et al. The Examiner stated that the sole difference between claim 1 of the present application and claim 1 of the '201 Schermerhorn et al. reference is that the patent claim refers to a "control electrode" while the present application refers to an "auxiliary electrode". The Examiner further stated that the difference is nominal and therefore obvious. However, upon comparing claim 1 to claims 1 and 2 of U.S. Patent No. 6,459,201, applicants attorney notes that claim 1 recites:

a phosphor material deposited within each micro-void and associated with said address electrodes;

The above limitation is absent from either claim 1 or 2 of U.S. Patent No. 6,459,201. Accordingly, applicants believe that the difference between claim 1 of the application and claims 1 and 2 of U.S. Patent No. 6,459,201 is more than nominal and that the judicially created doctrine of obviousness-type double patenting does not apply. Accordingly, applicants respectfully request that the Examiner withdraw her double patenting rejection of claim 1.

Claims 30 through 32 depend upon amended independent claim 1. Accordingly, for the reasons given above, applicants also believe that claims 30

thorough 32 are patentable over the art of record and respectfully request that the Examiner withdraw her rejection of the claims.

In the Final Office Action, the Examiner further stated that claims 33 through 35 included allowable subject matter, but were rejected as being dependent upon a rejected base claim. The Examiner also stated that the claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Accordingly, applicants have rewritten claim 33 in independent form to include all of the limitations of base claim 1 and intermediate claim 31. Therefore, rewritten independent claim 33 is now allowable and applicants respectfully request that the examiner withdraw her objection to the claim.

Similarly, objected claims 34 and 35 are dependent upon rewritten independent claim 33. Accordingly claims 34 and 35 should now be allowable and applicants respectfully request that the examiner withdraw her objection to the claims.

Finally, in the Final Office Action, the Examiner stated that claims 2 through 15, 16 and 25 are allowed.

In view of the amendments and above remarks, it is believed that the application is in condition for allowance.